

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
DAMILOLA ANIMASHAUN,**

Plaintiff,

**9:18-cv-1119
(GLS/ATB)**

v.

**CORRECTION OFFICER
REGNER,**

Defendant.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

DAMILOLA ANIMASHAUN
14-A-0061
Mid-State Correctional Facility
P.O. Box 2500
Marcy, NY 13403

FOR DEFENDANT:

HON. LETITIA JAMES
New York State Attorney General
Litigation Bureau
The Capitol
Albany, NY 12224

KONSTANDINOS D. LERIS
Assistant Attorney General

**Gary L. Sharpe
Senior District Judge**

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Andrew T. Baxter duly filed on September 26, 2019. (Dkt. No. 43.) Following fourteen days from the

service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Report-Recommendation for clear error, it is hereby

ORDERED that the Report-Recommendation (Dkt. No. 43) is
ADOPTED in its entirety; and it is further

ORDERED that defendant Correction Officer Regner's motion for summary judgment (Dkt. No. 36) is **GRANTED** and the complaint (Dkt. No. 1) is **DISMISSED**; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties in accordance with the Local Rules of Practice.

IT IS SO ORDERED.

October 25, 2019
Albany, New York



Gary L. Sharpe
U.S. District Judge